

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER (Large Entity)**

Application Number: 09/768,592

Group Art Unit: 2667

Filed: January 25, 2001

Examiner Name: MURPHY, Rhonda L.

Applicant: BEREBAUM

Attorney Docket Number: 20-105

TITLE: AUTOMATIC QUALITY OF SERVICE ASSIGNMENT IN ETHERNET SWITCHES

Total Number of Pages in this Submission: 10

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

SIR:

Transmitted herewith is:

An amendment in the above-identified application (10 Pages)

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED                             |  |                                |                         |          |                   |
|---|--|--------------------------------|-------------------------|----------|-------------------|
|   | CLAIMS<br>REMAINING<br>AFTER Amendment | HIGHEST #<br>PREV. PAID<br>FOR | # OF<br>EXTRA<br>CLAIMS | RATE     | ADDITIONAL<br>FEE |
| Total Claims                                  | 22                                     | 22                             | 0                       | x \$18 = | \$ 0.00           |
| Independent Claims                            | 3                                      | 3                              | 0                       | x \$88 = | \$ 0.00           |
| Multiple Dependent<br>Claim(s), if applicable |  |                                |                         | x \$300= |                   |
| TOTAL ADDITIONAL FEE:                         |  |                                |                         |          | \$0.00            |

The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. 1.16 or any patent application processing fees under 37 C.F.R. 1.17 associated with this communication, or credit any over payment to **Deposit Account No. 50-0687 under Order No. 20-105.**

Respectfully submitted,

William H. Bollman

Reg. No.: 36,457

Attorney for Applicant(s)

Date: October 14, 2004

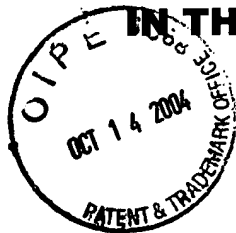
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2667  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 09/768,592  
Filed: January 25, 2001  
Group Art Unit: 2667  
Examiner: MURPHY,  
Rhonda L.  
Atty Docket No.:  
**BERENBAUM 11**  
Our Ref.: 20-105

IN RE PATENT APPLICATION OF:

**BERENBAUM 11**

TITLE: **AUTOMATIC QUALITY OF SERVICE ASSIGNMENT IN ETHERNET SWITCHES**

October 14, 2004

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Responsive to the Office Action dated July 16, 2004, please amend the subject application as follows:

**IN THE SPECIFICATION:**

Please replace the paragraph at page 8, lines 1-13, with the following amended paragraph:

The input controller **103** then refers to the data period detector **109**, data rate detector **110** and QoS table **104** to determine if a packet is part of a voice stream or data stream based on rate and periodicity and forwards the packet to the appropriate output queue **105** and **105n**. The data period detector **109** detects a consistency of periodicity between data packets from a particular source (e.g. voice device **704** and **705**). Upon detecting a consistency of periodicity, the data period detector ~~403~~ **109** creates and/or modifies an entry in the QoS table **104**. Preferably, the data period detector ~~403~~ **109** detects a